

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LAMONT CROSSLEY,

Plaintiff,

No. 2:23-cv-3045 DJC CSK P

v.

DR. ARYA, et al.,

Defendants.

ORDER

I. INTRODUCTION

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. For the following reasons, this Court separately issues a Second Discovery and Scheduling Order setting the deadline for discovery between plaintiff and defendant Pascua and the dispositive motion deadline for all parties. This order also addresses plaintiff's motion for a settlement conference and motion to conduct discovery. (ECF Nos. 56, 57.)

II. DISCUSSION RE: SCHEDULING

On January 9, 2024, the Court ordered service of defendant Arya. (ECF No. 5.) On June 12, 2024, defendant Arya filed an answer. (ECF No. 21.) On June 14, 2024, this Court issued a Discovery and Scheduling Order setting the discovery deadline for October 11, 2024 and the dispositive motion deadline for January 3, 2025. (ECF No. 22.) On November 18, 2024, plaintiff filed a motion to amend and a proposed amended complaint. (ECF No. 31, 32.) In the motion to

1 amend, plaintiff sought leave to substitute Nurse Pascua as the previously named doe defendant.
2 (ECF No. 31 at 1.) On December 17, 2024, this Court granted defendant Arya's motion to stay
3 all pretrial deadlines. (ECF No. 37.) This Court vacated the January 3, 2025 pretrial motion
4 deadline and ordered that this deadline would be reset following resolution of plaintiff's motion
5 to amend. (Id.)

6 On May 21, 2025, this Court granted plaintiff's motion to file an amended complaint
7 substituting Nurse Pascua as the previously named doe defendant and ordered service of Nurse
8 Pascua. (ECF Nos. 45, 47.) This Court also ordered that discovery would not be reopened
9 between plaintiff and defendant Arya. (ECF No. 45 at 6.) This Court also ordered that the
10 dispositive motion deadline would be later reset to a date after completion of discovery between
11 plaintiff and defendant Pascua. (Id.)

12 Defendants Arya and Pascua have both answered the amended complaint. (ECF Nos. 55,
13 58.) Accordingly, this Court separately issues a Second Discovery and Scheduling Order setting
14 the deadline for discovery between plaintiff and defendant Pascua and the dispositive motion
15 deadline for all parties.

16 III. PLAINTIFF'S MOTIONS

17 On August 13, 2025, plaintiff filed a motion requesting a settlement conference. (ECF
18 No. 56.) Plaintiff is informed that all parties must agree to participate in a settlement conference
19 before a settlement conference is scheduled. Plaintiff's motion for a settlement conference is
20 denied because defendants have not agreed to participate in a settlement conference.

21 On August 13, 2025, plaintiff filed a motion to conduct discovery. (ECF No. 57.) In this
22 motion, plaintiff states that he will need to review his medical records from January 1, 2021 to
23 July 30, 2024. (Id. at 1.) Plaintiff states that his counselor has not yet responded to plaintiff's
24 request to review plaintiff's medical records. (Id.) It is unclear what plaintiff is requesting in the
25 motion to conduct discovery. To the extent plaintiff requests that this Court order prison officials
26 to permit plaintiff to review plaintiff's medical records, this request is premature because
27 plaintiff's counselor has not yet responded to plaintiff's request to review plaintiff's medical
28 records. For these reasons, plaintiff's motion to conduct discovery is denied.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. Plaintiff's motion for a settlement conference (ECF No. 56) is denied; and
3 2. Plaintiff's motion to conduct discovery (ECF No. 57) is denied.

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5 Dated: August 15, 2025

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7 CHI SOO KIM
8 UNITED STATES MAGISTRATE JUDGE

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